

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

**In re: Lion Air Flight JT 610
Crash**

) **Lead Case: 18 CV 07686**
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) **Honorable Thomas M. Durkin**
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) **This filing applies to: 19CV797**
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**FAHRIDA KURNIAWATI'S REPLY IN SUPPORT OF HER MOTION
TO TERMINATE CO-ADMINISTRATOR VINI WULANDARI**

FAHRIDA KURNIAWATI, as special administrator of the Estate of Harvino, deceased, through her attorneys Lessmeister & Samad PLLC, Reply in support of her Motion to Terminate Co-Administrator Vini Wulandari, respectfully states as follows:

1. There is case law to support our position that this Honorable Court has the power to remove an Administrator. ¹ Both *Baez v. Rosenberg*, 409 Ill. App. 3d 525, (1st Dist. 2011) and *Mio v. Alberto-Culver Co.*, 306 Ill.App.3d 822 (2nd Dist., 1999) the Illinois Courts removed Administrators.

2. In *Baez* the First District removed the Deceased's Mother and substituted in the Deceased's Daughter as Administrator. *Baez*, at 538.

3. In *Mio* the Second District held the surviving spouse was the best person to maintain a wrongful death action and that the Mother of the deceased

¹ In Document 264, Wulandari Response, Paragraph 2, Respondent states Lessmeister & Samad, PLLC has not cited a single case.

was prohibited from bring a separate cause of action. The Respondent references this case. Document 264, P. 3, Par. 9 for the premise that the Wrongful Death Act is the sole source for determining who may sue. Yet, this is reliance is off center of the issue that this Honorable Court asked to be answered: Does the Court have the authority under the law to remove an Administrator? Yes.

4. The Respondent has admitted that Ms. Kurniawati is fit to be the Administrator and is not contesting her staying as the Administrator. The Respondent has failed to articulate why she should remain as Co-Administrator when her presence is the cause of disharmony.

5. The Respondent asks this Honorable Court to “disregard” the Indonesian decrees attached to Ms. Kurniawati’s Motion. Document 255-1, Pp. 18-38, Ex. 3 and 4. However, the Respondent, who is fluent in Indonesian, has failed to submit any evidence that Exhibits 3 and 4 are false or should be discredited.

6. The Respondent alleges that we have failed to submit a basis to remove her as Co-Administrator. On the contrary, we have submitted the following, by way of example and not by limitation:

- A. There are news reports that Ms. Wulandari has been arrested for bribery;
- B. It is admitted that Ms. Wulandari and Ms. Kurniawati no longer have a harmonious relationship, Document 255-1, P. 6, Ex. 1, Tr. 16, ln. 3-24;

- C. Ms. Kurniawati terminated Mr. Gardiner and his firm and to allow him to remain on as counsel for Ms. Wulandari would make his firm a *defacto* lawyer for Ms. Kurniawati which is contrary to Illinois law of a client's right to have a lawyer of her choice;
- D. To permit Ms. Wulandari to remain on the as Co-Administrator would be a disregard of the Indonesian decree that made Ms. Kurniawati sole caretaker of her children; and
- E. Ms. Kurniawati has sole custody of her children and is an exemplary caretaker who adheres to her faith. *There is **no** pending offer for which anyone could claim that Ms. Kurniawati is being unreasonable for failing to accept it.*

7. Ms. Wulandari has no liberty interest in remaining as Co-Administrator; Ms. Wulandari has no professional license bestowed upon her for currently being a Co-Administrator; Ms. Wulandari has no custodial rights and no financial interest in this matter. She has no purpose to remain.

8. To allow Vini Wulandari to remain as Co-Administrator is meddlesome, disruptive and debilitating to the litigation and to Ms. Kurniawati.

WHEREFORE, Fahrda Kurniawati prays this Honorable Court terminate Vini Wulandari as Co-Administrator and for any such further relief that is just and proper.

Respectfully submitted,
s/James J. Lessmeister
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CERTIFICATE OF SERVICE

I hereby certify that the following counsel of record who are deemed to have consented to electronic service are being served with a copy of Fahrida Kurniawati's Reply in support of her Motion to Terminate Vini Wulandari as Co-Administrator, to the person(s) listed below on, December 17, 2019 at the address listed below.

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Respectfully submitted,
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